

REMARKS

Reconsideration of this application, in view of the foregoing amendment and the following remarks, is respectfully requested.

Claims 187-221 were presented for consideration in this divisional application by preliminary amendment. No claims have been canceled or added. Accordingly, claims 187-221 are currently pending in this application.

The examiner's indication that claims 190, 191, 195, 206 and 209-221 contain allowable subject matter is noted with appreciation.

The following rejections and objections were set forth in the Office Action:

1. Claim 187 is objected for lack of antecedent basis in the specification for the recited first and second zones and “intersecting” the wellbore;
2. Claims 187-189, 192-194, 196-205, 207 and 208 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 5,799,733 to Ringgenberg, et al.; and
3. Claims 190, 191, 195, 206 and 209-221 are objected to for depending from a rejected base claim, but are otherwise indicated as being allowable.

Regarding the objection to claim 187, please note that the term “zone” is well understood by those skilled in the art, and multiple zones intersected by a wellbore are described in the text of the specification, and are illustrated in the drawings. For example, subterranean formations are described in the specification (and are very well known to those skilled in the art) as a type of subterranean zone of interest. See, for

example, page 2 line 2, page 5 line 16, page 6 line 4 and page 17 line 18 of the specification text.

Formations, or zones, 82 and 84 are described in the specification and are illustrated in FIG. 2 as being intersected by wellbore 12. Formations, or zones, 134 and 136 are described in the specification and are illustrated in FIGS. 4 & 6 as being intersected by wellbore 12 in other embodiments. Thus, the first and second zones intersected by the wellbore are clearly described in the specification, and the examiner is respectfully requested to withdraw the objection to claim 187.

Regarding the anticipation rejections, please note that the Ringgenberg reference describes a valve being used to direct mud flow via a chamber to a drill bit during drilling operations, and the valve being used to admit fluid flow from a formation into the chamber during a formation test. However, Ringgenberg does not describe flowing formation fluid from one zone to another zone using a flow control device of a formation test assembly.

Claim 187 has been amended above to make it clear that formation fluid is flowed from the first formation into the chamber via the opened first flow control device, and formation fluid is flowed from the chamber into the second zone while the first flow control device is closed. This combination of features is clearly not described or suggested by the Ringgenberg reference. Thus, claim 187 is not anticipated by Ringgenberg, and the examiner is respectfully requested to withdraw the rejections of claim 187 and of the claims dependent therefrom.

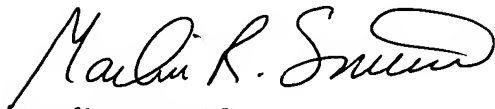
Claim 216 has been amended above to correct a minor grammatical error therein.

In view of the foregoing amendment and remarks, all of the claims pending in this application are now seen to be in a condition for allowance. A Notice of Allowance of claims 187-221 is therefore earnestly solicited.

The examiner is hereby requested to telephone the undersigned attorney of record at (972) 516-0030 if such would expedite the prosecution of the application.

Respectfully submitted,

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on APRIL 22, 2005
